



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,767	01/25/2001	Avishai Keren	14531.107.1.3	7766

7590 03/14/2006
RICK D. NYDEGGER
WORKMAN, NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, UT 84111

EXAMINER

CZEKAJ, DAVID J

ART UNIT PAPER NUMBER

2616

DATE MAILED: 03/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/770,767	Applicant(s) KEREN ET AL.	
	Examiner Dave Czekaj	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 94-111 and 128-139 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 94-111 and 128-139 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>9/7/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/7/05 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 94-111 and 128-139 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 94-99 and 137 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (6278466).

Regarding claims 94-95, Chen discloses an apparatus that relates to image animation (Chen: column 1, lines 4-6). This apparatus comprises "generating display elements at a server, the display elements representing at least a portion of a display, and corresponding to a program running at the server

for a remote client, wherein one of the display elements is an unmodified object” (Chen: figure 1, wherein the server system comprises the animation authoring system and server system, the client is the playback system; column 4, lines 29-34, wherein the display elements are the dynamic objects and background, which represent a portion of the display; column 5, lines 36-58, wherein the server generates the display elements), “modifying the object, wherein the modification is performed independently of the program” (Chen: column 5, lines 36-58, wherein the modification is the adjustment of the stream to fit the resolution or bandwidth requirements), and “generating a compressed stream for rendering a portion of the display at the client” (Chen: column 5, lines 36-58, wherein the server generates the stream). Although Chen fails to teach the modified object will be more efficiently converted to a compressed stream, Chen does disclose modifying the object to adapt to the user’s bandwidth requirements (Chen: column 5, lines 36-58, column 19, lines 10-35). The examiner notes that a more efficient conversion will take place by dynamically adapting the objects based on user preferences. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the efficient conversion in order to make the apparatus more versatile by being able to transmit video to a plurality of different users having different characteristics.

Regarding claims 96-97, Chen discloses “modifying the object to reduce bandwidth requirements or resource requirements” (Chen: figure 18, wherein the

reduction of bandwidth or resource requirements is the lowering of the resolution).

Regarding claims 98-99 and 137, although not disclosed, it would have been obvious to move the object to match a block boundary (Official Notice). Doing so would have been obvious in order to prevent objects from straddling over multiple boundaries.

5. Claims 100-101 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (6278466) in view of Bulman (5623587).

Regarding claims 100-101, note the examiners rejection for claim 94, and in addition, claims 100-101 differ from claim 94 in that claims 100-101 further require replacing an object with a different object. Bulman teaches that prior art superposition processing systems are time consuming and require complex calculations (Bulman: column 1, lines 44-48). To help alleviate this problem, Bulman discloses a superposition apparatus that "replaces one object with a different object" (Bulman: figures 12A-E, wherein one object is a person's head and the other object is an animals body). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Chen and add the superposition system taught by Bulman in order to obtain an apparatus that operates more efficiently by providing a system that is less time consuming with simple calculations.

6. Claims 102-111 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (6278466) in view of Bulman (5623587) in further view of Huang (6175663).

Regarding claim 102, note the examiners rejection for claims 100-101, and in addition, claim 102 differs from claims 100-101 in that claim 102 further requires the object to be a text object. Huang teaches that images can be automatically searched based on recognizing texts (Huang: figures 3-5, column 1, lines 45-55). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Chen, add the superposition system taught by Bulman, and add the text object taught by Huang in order to obtain an apparatus that operates more efficiently by being able to automatically search objects based on text.

Regarding claim 103, Bulman discloses "the object comprises a background of the display" (Bulman: figure 17, wherein the background is the person).

Regarding claim 104, Bulman discloses "analyzing the object to determine a closest suitable replacement" (Bulman: column 9, lines 38-45, wherein the analyzing is the interpolations between the images).

Regarding claim 105, Huang discloses "changing a font definition" (Huang: column 7, lines 1-6, wherein changing the font definition is superimposing the letter with different fonts, colors, and/or sizes).

Regarding claim 106, Bulman discloses "modifying at least one color of the object" (Bulman: column 6, lines 1-5).

Regarding claims 107-108, although not disclosed, it would have been obvious to reduce the spatial resolution and color resolution of the colors (Official

Art Unit: 2616

Notice). Doing so would have been obvious in order to allow the user to adjust the space between color and black and white.

Regarding claim 109, Chen discloses “reducing a spatial resolution of the object” (Chen: column 5, lines 35-55, wherein the spatial resolution can be adjusted).

Regarding claims 110-111, Chen discloses “one of the commands comprises a scrolling command and increasing a granularity of scrolling to multiples of block size” (Chen: figures 17-18; column 6, lines 1-6; column 7, lines 23-24, wherein increasing the granularity of scrolling is increasing the pan/zoom or rotation).

7. Claims 128-136 and 138-139 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (6278466) in view of Catlow (6445874).

Regarding claim 128, note the examiners rejection for claim 94, and in addition, claim 128 differs from claim 94 in that claim 128 further requires inserting changes corresponding to a priority. Catlow teaches that prior art computing systems require several devices to record and manipulate video clips (Catlow: column 1, lines 53-57). To help alleviate this problem, Catlow discloses “inserting changes corresponding to a priority assigned to other portions of the display that are unchanged at a faster rate” (Catlow: column 2, lines 7-20; column 7, lines 45-62, wherein the clips are adjust based on an assigned priority, the faster rate is only processing the clips that need changed). Therefore, it would have been obvious to one having ordinary skill in the art at the time the

invention was made to take the apparatus disclosed by Chen and add the priority assignment taught by Catlow in order to obtain an apparatus that operates more efficiently by removing unnecessary hardware.

Regarding claims 129-130, Chen discloses "the user command comprises a pointing device received via a GUI" (Chen: figure 17, column 24, lines 1-20).

Regarding claim 131, Chen discloses "analyzing the user command to determine display commands" (Chen: column 24, lines 1-25, wherein analyzing the user commands is analyzing the user inputs).

Regarding claims 132-133, Chen discloses "the compressed video stream is generated without first generating a display raster of display commands" (Chen: figures 1-3, wherein the compressed video stream is generated first).

Regarding claims 134, 136, and 139, note the examiners rejection for claims 94 and 128.

Regarding claim 135, note the examiners rejection for claim 101.

Regarding claim 138, although not disclosed, it would have been obvious to replace the background or utilize a pre-compressed background (Official Notice). Doing so would have been obvious in order to make the apparatus more efficient by simplifying compression.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (571) 272-7327. The examiner can normally be reached on Monday - Friday 9 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DJC



VU LE
PRIMARY EXAMINER